

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KING DRUG CO. OF FLORENCE,	:	CIVIL ACTION
INC., et al.	:	
	:	
V.	:	
	:	
ABBOTT LABORATORIES, et al.	:	NO. 19-3565

ORDER

AND NOW, this 19th day of January 2023, for the reasons stated in the foregoing Memorandum, it is hereby ORDERED that the motion of the plaintiffs¹ for partial summary judgment on objective baselessness (Doc. #222) against defendants AbbVie² and Besins³ is GRANTED.

BY THE COURT:

/s/ Harvey Bartle III

J.

1. Plaintiffs are King Drug Company of Florence, Inc., AmerisourceBergen Corp., AmerisourceBergen Drug Corp., Bellco Drug Co., H.D. Smith, LLC, Cardinal Health, Inc., The Harvard Drug Group, LLC, McKesson Corp., J.M. Smith Corp. (d/b/a Smith Drug Co.), Burlington Drug Co., Inc., The North Carolina Mutual Wholesale Drug Co., Dakota Drug Inc., Value Drug Co., and FWK Holdings, LLC.

2. "AbbVie" is used here to refer to defendants AbbVie Inc., AbbVie Products LLC (f/k/a Abbott Products LLC f/k/a Abbott Products, Inc. f/k/a Solvay Pharmaceuticals, Inc.), Unimed Pharmaceuticals, LLC (f/k/a Unimed Pharmaceuticals, Inc.) and Abbott Laboratories.

3. "Besins" is used here to refer to defendant Besins Healthcare, Inc. (f/k/a Laboratoires Besins Iscovesco and Besins-Iscovesco U.S., Inc.).